



EASTERN CONNECTICUT STATE UNIVERSITY

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February 14, 2011

Labor and Public Employees Committee
Room 3800, Legislative Office Building
Hartford, CT 06106

RE: S.B. No. 934 (RAISED)—AN ACT CONCERNING THE REASONABLE ASSURANCE DOCTRINE UNDER THE UNEMPLOYMENT COMPENSATION ACT

Dear Committee:

I am a long-time serving part-time faculty member at Eastern Connecticut State University who has recently suffered great financial distress at the hands of the Department of Labor, which suspended benefits while I was clearly unemployed between semesters. I am eager to bring about change to the law as it currently stands because the Reasonable Assurance Doctrine constitutes what can only be called legal fraud.

As a single father of two children, I rely on the generous support of ECSU while I finish my Ph.D. in history at the University of Connecticut. Having committed the last decade to my graduate education, there are very few employment options for people like me who are overly and narrowly educated. Until I finish my degree, I depend on the few teaching jobs that are available, mostly part-time adjunct positions. This, as any educator knows, is not financially rewarding. While most assistant faculty members in the Central State System garner salaries in the \$50,000 per annum range, I teach each class without retirement or health benefits at nearly 10% that salary rate. But I accept it because this is the expected education climate, as the state's addiction to part-time faculty labor worsens.

The Reasonable Assurance Doctrine is financially devastating. In my own personal experience, I was recently blindsided by a Department of Labor representative who "sprung" this rule on me. In the past, I had no problem collecting financial assistance between semesters. The representative told me that should not have happened, and then set me up for a hearing. This hearing took place three weeks later, simply to confirm what the representative had already told me—I was to be denied benefits because I was "on break." It took two more weeks to process the hearing's paperwork, and another two weeks to "release" my zero-sum payments, thus holding up later benefits. To worsen matters, the Department of Labor denied me one more week of benefits because "the law says" that reinstatement of payments cannot resume until after the first Sunday *after* you begin work. This would not have happened had I not been denied benefits under the Reasonable Assurance Doctrine. Lastly, it was personally insulting to be told that my

benefits would resume
"as normal" once I
returned to work. When
I was unemployed, I



did not qualify for unemployment benefits. But once I began work for the state at the discounted adjunct rate, I did qualify. This is not unemployment insurance—this is *underemployment* insurance.

The Reasonable Assurance Doctrine is legally unrealistic, impractical, and unconscionable. It demands that laborers have no realistic chance of being hired again, which hardly happens in an environment that depends nearly so heavily on part-time labor. It clearly punishes part-time faculty members for seeking work, contrary to the Department of Labor's mission of helping people find employment. The law's unconscionability is highlighted by its presumption that teachers are simply "on break" in between terms, as if they are voluntarily vacationing. Simply put, part-time employees are not "on break." They are without a job. If they were "on break," they would be under contract. They are not. If they were "on break," they would have the option to receive pro-rated salaries covering their non-working periods, just like full-time faculty members do. They do not. If they were "on break," they would receive retirement and health benefits in the interim. They do not. To say that part-time contributors are still employed while they lack contracts, compensation, and benefits isn't just an injustice, it is a willful lie. The law and the Department of Labor simply twist the realistic facts surrounding their dependence on part-time labor, to the detriment of families seeking what little work is available for college and university educators. In short, under the Reasonable Assurance Doctrine, the Department of Labor's Unemployment Division becomes no different than any other insurance company. It works harder to avoid doing its primary job—assist those in need, especially those who serve the state and its people.

I beg the Connecticut General Assembly to please repeal or modify this unjust law because it only works to punish those people (and their families) for choosing a career path in higher education. Teachers are reminded regularly that they hold the keys to this state's and this country's future. We are told regularly that teaching is a noble and spiritually rewarding position. How can this be true if the law does not protect essential part-time workers, instead treating them like semi-professional athletes, hobbyists, or classroom placeholders? The law needs to change, or else there will be no incentive to teach at institutions of higher education. This will be especially damning in an unforgiving market that pushes newly-unemployed workers back to school to sharpen their skills. In short, nobody will be able to afford to take the risk to teach other unemployed Connecticut residents.

Sincerely,

/s/

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